IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 685 OF 2001

Pushkarbhai Fulabhai Patel & ors. ... Appellants.

Versus.

Smt.Dixita wd/o.Sureshbhai Patel
and others. ... Respondents.

Shri V.R.Walawalkar i/by M/s.Rustomji & Ginwala for the Appellants.

Ms.Tateke i/by M/s.Mahesh Jani & Co.for the Respondents.

CORAM : ABHAY S. OKA, J.

DATED : 21st March, 2005.

P.C.:

1. The learned Counsel appearing for the Appellants states that the Appeal from Order is not maintainable for challenging the impugned Judgment and Order dated 30th June 2001. He, therefore, seeks permission to withdraw this Appeal from Order with liberty to file appropriate proceedings for challenging the impugned Judgment and order. He prays that to enable the Appellants to adopt appropriate remedy, the ad-interim relief granted on 13th August 2001 be allowed to be continued for a reasonable time.

2. In view of this submission, the Appeal is allowed to be withdrawn with liberty to file appropriate proceedings for challenging the Judgment and order. The

ad-interim relief granted by this Court on 13th August 2001 will continue to operate for a period of six weeks from today.

3. Parties to act on authenticated copy of this order.

Judge.